

MINUTES OF MEETING

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS (APELSCIDLA BOARD)

LAND SURVEYOR

INFORMAL FACT-FINDING CONFERENCE

DECEMBER 22, 2003 (10:00 AM)

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects convened in Richmond, Virginia, for the purpose of holding an Informal Fact-Finding Conference pursuant to the Administrative Process Act.

John R. McAden, APELSCIDLA Board Member, Presided. No other Board members were present.

Douglas W. Schroder appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD. and the summaries or Consent Orders are attached unless no decision was made.

Disc=Disciplinary Case
Lic=Licensing Application

C=Complainant/Claimant
A=Applicant
R=Respondent/Regulant
I=Investigator
W=Witness

10:00 AM

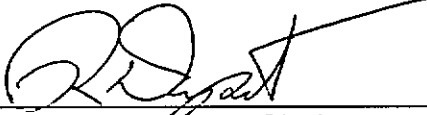
William Robert Reeves, Jr.
File Number 2003-00982 (Disc)

WITNESSES

William Reeves, Jr. – R
L. Gardner Blanks – C
Martha T. Blanks - W
Shelby L. Spradlin, Jr. – W
Dale Amos – I

The meeting adjourned at 11:45 a.m.

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects



Richard N. Davenport, Chairman



Louise Fontaine Ware, Secretary

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Custodian of Records

IN THE

COMMONWEALTH OF VIRGINIA

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR
DESIGNERS AND LANDSCAPE ARCHITECTS

In Re:

William Robert Reeves, Jr.
Rustburg, VA 24588

File Number 2003-00982
License Number 0403001518

CONSENT ORDER

Respondent William Robert Reeves, Jr. ("Reeves") was at all times material to this matter a licensed APELSCIDLA Land Surveyor in Virginia (No. 0403001518).

As a result of this status, Reeves recognizes and acknowledges being subject to and bound by the Regulations of the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects ("Board"), as well as by all other applicable Virginia laws.

A violation of these Regulations has been reported and investigated. These matters were considered on December 22, 2003 in an Informal Fact Finding Conference ("IFF") pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended. This IFF was held in Richmond, Virginia and was attended by William R. Reeves, Jr., Respondent; L. Gardner Blanks, Complainant; Martha T. Blanks, Witness; Shelby L. Spradlin, Jr., Witness; and Dale Amos, Investigator. Board Member John R. McAden presided at the IFF.

The Board's duly designated representative has found sufficient evidence to believe that:

Background

On September 30, 2002, the Enforcement Division of the Department of Professional and Occupational Regulation received a written complaint from L. Gardner Blanks (Blanks) regarding a survey of his property, dated June 22, 2001, performed by William R. Reeves (Reeves), t/a William Robert Reeves, Jr. On May 8, 2001, Blanks entered into a contract with Reeves, in the amount of \$5,130.00, for a survey of his property located in the Staunton District of Halifax County, Virginia.

Summation of Facts

1. The survey performed by Reeves failed to show inconsistencies between the property surveyed and the descriptions contained in the adjacent property deeds.
2. The 1891 survey did not contain mathematical data; however, Reeves used the survey of 1916 recorded in Book 1, Page 91 to establish a portion of the property lines. The line between Blanks and the adjoining property owned by Raymond Waller was established based on initial occupation with pedigree and the out conveyance deed is clearly a parallelogram. The line on Route 670 was also established by occupation with pedigree and is within one foot of record distance to a found pipe monument. Line L4 is shortened by 12 feet by computing a 30 foot right-of-way on State Route 670.
3. During the IFF, Reeves admitted the common property line between the Blanks property and the Raymond Waller/Ronnie Waller property indicated on this plat as 1710.41 feet should have been 1672.44 feet and the pin set at the east corner of the line was set in the wrong location.

The Board and Reeves, as evidenced by the signatures affixed below, enter into this Consent Order. Reeves knowingly and voluntarily waives any further proceedings in this matter under Administrative Process Act §§2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.

Further, by signing this Consent Order, Reeves acknowledges an understanding of the charges. Reeves hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1: 18 VAC 10-20-370 (A) (Effective December 1, 1999)

Reeves failure to disclose discrepancies in the descriptions of adjoining land as it pertains to the common boundaries is a violation of Board Regulation 18 VAC 10-20-370(A). Therefore, I recommend a monetary penalty of \$1,250.00 be imposed for the violation.

The Board agrees to waive imposition of \$1,000.00 of the penalty if Reeves:

- Reimburses to the Board investigative costs in the amount of \$300.00;
- Move and set the iron pin in the northeast corner of the Raymond Waller/Ronnie Waller property; and,
- Submits a corrected plat to the Blanks' attorney, with a copy to the Board, within 30 days of the date of entry of the order.

The above monetary penalties, costs or sanctions are to be paid/performed within thirty days of the effective date of this consent order. Reeves acknowledges the monetary penalty and costs as a debt to the Commonwealth and agrees that in the event of a default, or the return of a check for insufficient funds, Reeves will be responsible for a penalty fee of 10% and interest at the underpayment rate prescribed in Section 58.1-15 of the 1950 Code of Virginia, as amended, and for all reasonable administrative costs, collection fees, or attorney's fees incurred in the collection of whatever funds are due.

Reeves acknowledges that failure to pay the penalty, the costs, or to comply with all terms of this Order within the specified time period, shall result in the automatic suspension of Reeves' license until such time as there is compliance with all terms of this Order. Reeves understands the right to have this automatic suspension considered in an IFF pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended, but knowingly and voluntarily waives any rights to the proceeding and hereby waives any further proceedings under the Administrative Process Act §§2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.

The effective date of this Order shall be the date of execution by the Board.

SEEN AND AGREED TO:

William Robert Reeves, Jr.

Date

Printed Name and Title of Person Signing on behalf of Entity

CITY/COUNTY OF _____
COMMONWEALTH OF VIRGINIA

Sworn and subscribed before me this ____ day of _____, 2003.

Notary Public

My Commission Expires: _____

SO ORDERED: •

Entered this ____ day of _____, 2003.

Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects

BY: _____
Louise Fontaine Ware, Secretary

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Custodian of the Records

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: John R. McAden
2. Title: Member
3. Agency: Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects
4. Transaction: Informal Fact-Finding Conferences on December 22, 2003
5. Nature of Personal Interest Affected by Transaction: Land Surveying

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6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Land Surveyors

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

John R. McAden
Signature

12-22-03
Date